

REMARKS

Claims 1, 3, 18, 19, 21, 26 and 44 have been amended.

Claims 1-40 and 44-60 are pending in this case.

Applicant wishes to thank the Examiner for the careful consideration give to this application. Applicants have amended claims 1, 3, 18, 19, 21, 26 and 44 to amend formatting errors. Such amendments are non-narrowing and are unrelated to patentability. No new matter has been added.

Claims 1, 3-6, 14, 23 and 24

The Examiner has rejected claims 1, 3-6, 14, 23 and 24 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,578,808 to *Taylor*. Applicants respectfully traverse the Examiner's rejection based on the following remarks.

Independent claim 1 incorporates features not disclosed in the prior art cited by the Examiner. In particular, *Taylor* does not teach or suggest "displaying an identifier for one or more of the registered data transfer applications on the electronic device," as required by claim 1.

Initially, the Examiner states "the card reader [in *Taylor*] serves as an electronic device." However, a card reader cannot meet the limitations of claim 1 since a card reader does not have one or more data transfer applications stored on it. Accordingly, it cannot disable, identify, register or display an identifier for one or more data transfer applications on the electronic device, as required by claim 1. As such, a card reader cannot be considered to be the mobile electronic device of claim 1.

In addition, the card described in *Taylor* does not satisfy the requirements of the mobile electronic device of claim 1 because it does not display an identifier for one or more of the registered data transfer applications. The card in *Taylor* does not include a display and cannot display an identifier as a result.

For at least the reasons described above, claim 1 is allowable over the prior art cited by the Examiner. Since claims 3-6, 14, 23 and 24 depend from and incorporate all of the limitations of allowable claim 1, claims 3-6, 14, 23 and 24 are likewise allowable over the prior art cited by the Examiner.

Claim 2

The Examiner has rejected claim 2 under 35 U.S.C. §103(a) as being unpatentable over *Taylor* in view of U.S. Patent No. 6,659,345 to *Sukeda et al.* As stated above in reference to claim 1, *Taylor* does not teach or suggest “displaying an identifier for one or more of the registered data transfer applications on the electronic device.” *Sukeda et al.* does not resolve the deficiencies of *Taylor*. *Sukeda et al.* teaches a terminal device that operates in conjunction with a smart card. The smart card stores game application programs. The game application programs are displayed on a user interface on the terminal device. The smart card does not display an identifier of a data transfer application because the smart card does not have a display. Likewise, no data transfer application is stored on the terminal device. Since *Sukeda et al.* does not resolve the deficiencies of *Taylor* and claim 2 depends from and incorporate all of the limitations of claim 1, claim 2 is allowable over the prior art.

Claims 7 and 8

The Examiner has rejected claims 7 and 8 under 35 U.S.C. §103(a) as being unpatentable over *Taylor* in view of U.S. Patent No. 5,892,824 to *Beatson et al.* As stated above in reference to claim 1, *Taylor* does not teach or suggest “displaying an identifier for one or more of the registered data transfer applications on the electronic device.” *Beatson et al.* does not resolve the deficiencies of *Taylor*. *Beatson et al.* teaches a signature capture and verification system. The display in *Beatson et al.* is merely used for displaying a signature, and not for displaying an identifier for a data transfer application stored on a mobile electronic device. Since

Beatson et al. does not resolve the deficiencies of *Taylor* and claims 7 and 8 depend from and incorporate all of the limitations of claim 1, claims 7 and 8 are likewise allowable over the prior art.

Claims 9, 10 and 25

The Examiner has rejected claims 9, 10 and 25 under 35 U.S.C. §103(a) as being unpatentable over *Taylor* in view of U.S. Patent No. 6,257,486 to *Teicher et al.* As stated above in reference to claim 1, *Taylor* does not teach or suggest "displaying an identifier for one or more of the registered data transfer applications on the electronic device." *Teicher et al.* does not resolve the deficiencies of *Taylor*. *Teicher et al.* teaches a smart card with a keypad for entering information into the smart card. The smart card is inserted into a card reader which displays information from the smart card. *Teicher et al.* does not teach displaying an identifier for a data transfer application stored on a mobile electronic device. Since *Teicher et al.* does not resolve the deficiencies of *Taylor* and claims 9, 10 and 25 depend from and incorporate all of the limitations of claim 1, claims 9, 10 and 25 are likewise allowable over the prior art.

Claims 15 and 16

The Examiner has rejected claims 15 and 16 under 35 U.S.C. §103(a) as being unpatentable over *Taylor* in view of U.S. Patent No. 6,776,332 to *Allen et al.* As stated above in reference to claim 1, *Taylor* does not teach or suggest "displaying an identifier for one or more of the registered data transfer applications on the electronic device." *Allen et al.* does not resolve the deficiencies of *Taylor*. The Examiner states, "*Allen et al.* teaches a smart card (102) comprising an LCD device (212) for displaying information thereon and scroll keys (240 and 236) for navigating the text on the display." However, the smart card in *Allen et al.* does not display an identifier for one or more of the data transfer applications on the electronic device as required by claim 1. The device in *Allen et al.* merely displays the following status messages:

"Insert Card," "System Failure," "Enter PIN," "Enter Finger," reenter authorization code and "Last Try." As such, *Allen et al.* does not teach or suggest displaying an identifier for one or more of the registered data transfer applications on the electronic device as required by claim 1. Since *Allen et al.* does not resolve the deficiencies of *Taylor* and claims 15 and 16 depend from and incorporate all of the limitations of claim 1, claims 15 and 16 are likewise allowable over the prior art.

Claims 11-13, 17, 26, 28-31 and 36-40

The Examiner has rejected claims 11-13, 17, 26, 28-31 and 36-40 under 35 U.S.C. §103(a) as being unpatentable over *Taylor* in view of U.S. Patent No. 5,541,985 to *Ishii et al.* As stated above in reference to claim 1, *Taylor* does not teach or suggest "displaying an identifier for one or more of the registered data transfer applications on the electronic device." *Ishii et al.* does not resolve the deficiencies of *Taylor*. The display device in *Ishii et al.* is merely used for displaying status messages, such as "Not Ready," "IC Card Abnormal," "IC Card Ejection," "Main Unit Abnormal," "Credit Card," "Prepaid Card," and "Data Abnormal." In the case of the "Credit Card" and "Prepaid Card" status messages, the messages refer to cards that are inserted into the display device and not to data transfer applications that are stored on the display device itself. As such, *Ishii et al.* also does not teach or suggest displaying an identifier for one or more of the registered data transfer applications on the electronic device as required by claim 1. Since *Ishii et al.* does not resolve the deficiencies of *Taylor* and claims 11-13 and 17 depend from and incorporate all of the limitations of claim 1, claims 11-13 and 17 are likewise allowable over the prior art.

Likewise, independent claim 26 incorporates features not disclosed in the prior art cited by the Examiner. In particular, neither *Taylor* nor *Ishii et al.*, alone or in combination, teaches or suggests "enabling the selected data transfer application when the user satisfies an

authentication mechanism associated with the selected data transfer application” and “processing a transaction using the selected data transfer application, wherein the transaction does not require an additional user authentication,” as required by claim 26.

Taylor teaches the use of an authentication mechanism for a data transfer application in either step 196 or step 211. However, *Taylor* also teaches the use of a user authentication, in either step 138 or step 144. For example, *Taylor* teaches, “a [PIN] number is entered or another security precaution such as verification of a digitally encoded signature is taken” with respect to step 138. Similarly, step 144 in *Taylor* teaches, “a PIN number is optionally entered, or another security step such as verification of a digitally encoded signature is taken.” As such, *Taylor* requires a user authentication in addition to a data transfer application authentication. In contrast, claim 26 requires “enabling the selected data transfer application when the user satisfies an authentication mechanism associated with the selected data transfer application” and “processing a transaction using the selected data transfer application, wherein the transaction does not require an additional user authentication.” For at least this reason, *Taylor* does not include all of the limitations of claim 26.

Ishii et al. does not resolve the deficiencies of *Taylor*. With respect to *Ishii et al.*, the Examiner states, “Although *Taylor* teaches the card reader for accessing the data card having a plurality of application stored therein for conducting various transactions during authentication means, he fails to particularly teach or fairly suggest that a mobile device is a cellular phone.” Claim 26 does not discuss the use of a cellular phone. Accordingly, the Examiner’s rejection is inapposite.

For at least the reasons described above, claim 26 is allowable over the cited prior art. Since claims 28-31 and 36-40 depend from and incorporate all of the limitations of claim 26, claims 28-31 and 36-40 are likewise allowable over the prior art.

Claims 18, 21 and 22

The Examiner has rejected claims 18, 21 and 22 under 35 U.S.C. §103(a) as being unpatentable over *Taylor*. As stated above in reference to claim 1, *Taylor* does not teach or suggest “displaying an identifier for one or more of the registered data transfer applications on the electronic device.” Since claims 18, 21 and 22 depend from and incorporate all of the limitations of claim 1, claims 18, 21 and 22 are likewise allowable over the prior art.

Claims 19, 20, 44, 46-49, 52, 53 and 55-58

The Examiner has rejected claims 19, 20, 44, 46-49, 52, 53 and 55-58 under 35 U.S.C. §103(a) as being unpatentable over *Taylor* in view of U.S. Patent No. 6,411,822 to *Kraft*. As stated above in reference to claim 1, *Taylor* does not teach or suggest “displaying an identifier for one or more of the registered data transfer applications on the electronic device.” *Kraft* does not resolve the deficiencies of *Taylor*. *Kraft* teaches a phonebook registry for a communication terminal. The display in *Kraft* displays phonebook information. *Kraft* does not teach displaying an identifier for a data transfer application stored on a mobile electronic device. Since *Kraft* does not resolve the deficiencies of *Taylor* and claims 19 and 20 depend from and incorporate all of the limitations of claim 1, claims 19 and 20 are likewise allowable over the prior art.

Likewise, independent claim 44 incorporates features not disclosed in the prior art cited by the Examiner. In particular, neither *Taylor* nor *Kraft* teaches or suggests “displaying an identifier for at least one of the data transfer applications on the electronic device,” as required by claim 44.

Initially, the Examiner states "the card reader [in *Taylor*] serves as an electronic device." However, a card reader cannot meet the limitations of claim 44 since a card reader does not have one or more data transfer applications stored on it. Accordingly, it cannot disable or display an identifier for one or more data transfer applications on the electronic device, as required by claim 44. As such, a card reader cannot be considered to be the mobile device of claim 44.

In addition, the card described in *Taylor* does not satisfy the requirements of the mobile device of claim 44 because it does not display an identifier for one or more of the registered data transfer applications. The card in *Taylor* does not include a display and cannot display an identifier as a result.

Kraft does not resolve the deficiencies of *Taylor*. *Kraft* teaches a phonebook registry for a communication terminal. The display in *Kraft* displays phonebook information. *Kraft* does not teach displaying an identifier for a data transfer application stored on a mobile electronic device.

For at least the reasons described above, claim 44 is allowable over the prior art cited by the Examiner. Since claims 46-49 depend from and incorporate all of the limitations of allowable claim 44, claims 46-49 are likewise allowable over the prior art cited by the Examiner.

Likewise, independent claim 52 incorporates features not disclosed in the prior art cited by the Examiner. In particular, neither *Taylor* nor *Kraft*, alone or in combination, teaches or suggests "enabling the selected data transfer application when a user satisfies an authenticated mechanism associated with the selected data transfer application" and "processing a data transfer transaction using the selected data transfer application, wherein the data transfer transaction does not require additional user authentication," as required by claim 52.

As stated above in reference to claim 52, *Taylor* teaches the use of an authentication mechanism for a data transfer application in either step 196 or step 211. However, *Taylor* also teaches the use of a user authentication, in either step 138 or step 144. For example, *Taylor* teaches, "a [PIN] number is entered or another security precaution such as verification of a digitally encoded signature is taken" with respect to step 138. Similarly, step 144 in *Taylor* teaches, "a PIN number is optionally entered, or another security step such as verification of a digitally encoded signature is taken." As such, *Taylor* requires a user authentication in addition to a data transfer application authentication. In contrast, claim 52 requires "enabling the selected data transfer application when the user satisfies an authentication mechanism associated with the selected data transfer application" and "processing a transaction using the selected data transfer application, wherein the transaction does not require an additional user authentication." For at least this reason, *Taylor* does not include all of the limitations of claim 52.

Kraft does not resolve the deficiencies of *Taylor*. The Examiner cites *Kraft* as describing certain components of a mobile phone. However, nothing in *Kraft* discusses a method of conducting an exchange of data including "enabling the selected data transfer application when the user satisfies an authentication mechanism associated with the selected data transfer application" and "processing a transaction using the selected data transfer application, wherein the transaction does not require an additional user authentication." As such, *Kraft* does not teach all of the limitations of claim 52.

For at least the reasons described above, claim 52 is allowable over the prior art cited by the Examiner. Since claims 53 and 55-58 depend from and incorporate all of the

limitations of allowable claim 52, claims 53 and 55-58 are likewise allowable over the prior art cited by the Examiner.

Claim 27

The Examiner has rejected claim 27 under 35 U.S.C. §103(a) as being unpatentable over *Taylor* in view of *Ishii et al.* and further in view of *Sukeda et al.* As stated above in reference to claim 26, neither *Taylor* nor *Ishii et al.* teaches or suggests “enabling the selected data transfer application when the user satisfies an authentication mechanism associated with the selected data transfer application” and “processing a transaction using the selected data transfer application, wherein the transaction does not require an additional user authentication.” *Sukeda et al.* does not resolve this deficiency. Authentication in *Sukeda et al.* is performed between the smart card and the display device automatically to verify that a loaded game is valid. A user does not satisfy an authentication mechanism in *Sukeda et al.* Thus, the combination of *Taylor*, *Ishii et al.* and *Sukeda et al.* do not meet all of the limitations of claim 26. Accordingly, since claim 27 depends from and incorporates all of the limitations of claim 26, claim 27 is likewise allowable over the prior art.

Claims 32 and 33

The Examiner has rejected claims 32 and 33 under 35 U.S.C. §103(a) as being unpatentable over *Taylor* in view of *Ishii et al.* and further in view of *Beatson et al.* As stated above in reference to claim 26, neither *Taylor* nor *Ishii et al.* teaches or suggests “enabling the selected data transfer application when the user satisfies an authentication mechanism associated with the selected data transfer application” and “processing a transaction using the selected data transfer application, wherein the transaction does not require an additional user authentication.” *Beatson et al.* does not resolve this deficiency. *Beatson et al.* teaches an electronic signature devices and techniques for capturing and/or verifying handwritten signatures. In other words,

Beatson et al. merely teaches an authentication mechanism in the abstract. *Beatson et al.*, alone or in combination with *Taylor* and *Ishii et al.*, does not teach all of the limitations of claim 26. Accordingly, since claims 32 and 33 depend from and incorporate all of the limitations of claim 26, claims 32 and 33 are likewise allowable over the prior art.

Claims 34 and 35

The Examiner has rejected claims 34 and 35 under 35 U.S.C. §103(a) as being unpatentable over *Taylor* in view of *Ishii et al.* and further in view of *Teicher et al.* As stated above in reference to claim 26, neither *Taylor* nor *Ishii et al.* teaches or suggests “enabling the selected data transfer application when the user satisfies an authentication mechanism associated with the selected data transfer application” and “processing a transaction using the selected data transfer application, wherein the transaction does not require an additional user authentication.” *Teicher et al.* does not resolve this deficiency. *Teicher et al.* teaches a system for secure entry of a secret PIN directly into a smart card. In other words, *Teicher et al.* merely teaches an authentication mechanism in the abstract. *Teicher et al.*, alone or in combination with *Taylor* and *Ishii et al.*, does not teach all of the limitations of claim 26. Accordingly, since claims 34 and 35 depend from and incorporate all of the limitations of claim 26, claims 34 and 35 are likewise allowable over the prior art.

Claims 45 and 54

The Examiner has rejected claims 45 and 54 under 35 U.S.C. §103(a) as being unpatentable over *Taylor* in view of *Kraft* and further in view of *Sukeda et al.* For at least the reasons stated with respect to claims 2 and 44, none of *Taylor*, *Kraft* and *Sukeda et al.* teaches or suggests “displaying an identifier for at least one of the data transfer applications on the electronic device.” Accordingly, since claim 45 depends from and incorporates all of the limitations of claim 44, claim 45 is likewise allowable over the prior art.

Likewise, for at least the reasons stated with respect to claims 27 and 52, none of *Taylor, Kraft* or *Sukeda et al.* teaches or suggests “enabling the selected data transfer application when the user satisfies an authentication mechanism associated with the selected data transfer application” and “processing a transaction using the selected data transfer application, wherein the transaction does not require an additional user authentication,” as required by claim 52. Accordingly, since claim 54 depends from and incorporates all of the limitations of claim 52, claim 54 is likewise allowable over the prior art.

Claims 50, 51, 59 and 60

The Examiner has rejected claims 50, 51, 59 and 60 under 35 U.S.C. §103(a) as being unpatentable over *Taylor* in view of *Kraft* and further in view of *Beatson et al.* For at least the reasons stated with respect to claims 7 and 44, none of *Taylor, Kraft* and *Beatson et al.* teaches or suggests “displaying an identifier for at least one of the data transfer applications on the electronic device.” Accordingly, since claims 50 and 51 depend from and incorporate all of the limitations of claim 44, claims 50 and 51 are likewise allowable over the prior art.

Likewise, for at least the reasons stated with respect to claims 32, 33 and 52, none of *Taylor, Kraft* and *Beatson et al.* teaches or suggests “enabling the selected data transfer application when the user satisfies an authentication mechanism associated with the selected data transfer application” and “processing a transaction using the selected data transfer application, wherein the transaction does not require an additional user authentication,” as required by claim 52. Accordingly, since claims 59 and 60 depend from and incorporate all of the limitations of claim 52, claims 59 and 60 are likewise allowable over the prior art.

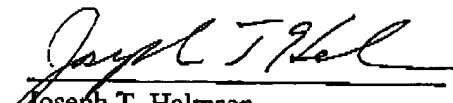
In view of the above election and remarks, Applicants believe that the application is in condition for examination and allowance on the merits. Favorable resolution is respectfully requested.

AUTHORIZATION

In the event that an additional fee is required for this response, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-0436.

Should the Examiner have any questions or comments, or need any additional information from Applicants' attorney, he is invited to contact the undersigned at his convenience.

Respectfully submitted,
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CERTIFICATE OF FACSIMILE UNDER 37 C.F.R. §1.6 & §1.8

In re Application of:

Gavin SHENKER et al.

Group Art Unit: 2876

Application No.: 10/826,092

Examiner: Seung H. Lee

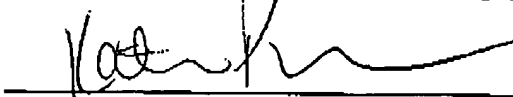
Filed: April 16, 2004

For: A SYSTEM AND METHOD FOR MANAGING ELECTRONIC
DATA TRANSFER APPLICATIONS

I hereby certify that this Response to Non-Compliant Amendment is being sent via facsimile to fax number 571-273-8300 under 37 C.F.R. §1.6 & §1.8 on September 15, 2005.

Kathleen Pujol

(Typed/printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)

Documents Faxed:

1. Response to Non-Compliant Amendment
2. Certificate of Facsimile